

Detentions don't make us more secure

MY VIEW: By Roberto J. Gonzalez

THE Justice Department's post-9/11 detentions and deportations of Arab and Muslim men are ill-conceived and ineffective national security strategies. Instead of protecting our country, such actions breed mistrust and fear among immigrants and xenophobia among the general public.

The policies may lead to other disastrous effects. In the eyes of millions around the world, detentions and deportations appear to confirm yet again an anti-Islamic bias in U.S. policies.

They also demonstrate a profound contempt for the Bill of Rights. Under Attorney General John Ashcroft, the Justice Department has undermined constitutional protections including the right to due process, the right to public trial by jury, and bans against unreasonable searches and excessive punishment.

A recent example of the Justice Department's flawed approach occurred last month, when immigration officials arrested and detained 400 Arab and Muslim men voluntarily complying with an order issued by Ashcroft. The order required foreign nationals from nearly 20 Middle Eastern, African and South Asian countries to be registered, photographed and fingerprinted by the INS.

Although some argue that the roundup resulted from INS incompetence, it fits squarely within a broader pattern of secret detentions, deportations and legal abuses characteristic of Ashcroft's Justice Department. The number of arrests last month pales in comparison to the FBI's mass detention of more than 1,000 Arabs and Muslims after Sept. 11, 2001. Many were held in secret locations for months before being charged with any offense. To this day, the Justice Department has not released the detainees' names. Most have apparently been deported.

In separate reports about post-9/11 detentions released last summer, Amnesty International and Human Rights Watch documented abuses including the denial of access to counsel, secret immigration proceedings, detention without charge, and coercive interrogations.

Mass detentions and deportations are not new in American history. During the Palmer Raids of 1919-1920, Justice Department officials deported 4,000 Russian immigrants suspected of being anarchists. Howard Zinn, in his book "A People's History of the United States," describes those deportations in a way that could apply to the post-9/11 roundups: "Pains were taken to give spectacular publicity to the raids, and to make it appear that there was great and imminent public danger. . . . The arrested aliens were in most instances perfectly quiet and harmless working people." And during World War II, military officials detained nearly 120,000 Japanese and Japanese-Americans in internment camps in the name of "homeland security."

Just over a year ago, Ashcroft stated before the Senate Judiciary Committee that those decrying the loss of civil liberties "aid terrorists, for they erode national unity and diminish our resolve." Such accusations may chill criticism, but do not change the fact that recent Justice Department policies undermine the Fourth, Fifth, Sixth and Eighth amendments.

What can concerned citizens do?

First, we should encourage elected officials to follow Rep. Mike Honda's example. Honda (who was confined to a Japanese internment camp in the 1940s) recently issued a statement criticizing last month's

to a Japanese internment camp in the 1940s) recently issued a statement criticizing last month's detentions. But he is the exception among California legislators. Neither Sen. Barbara Boxer nor Sen. Dianne Feinstein has commented upon the detentions, nor have the vast majority of our state's congressmen and women.

We might also seek common cause with those working to protect civil liberties. Immigrants from several additional Mideast and African countries were required to register with the INS last week, and citizens hoping to prevent a repeat of last month's events rallied each day. Members of the "Not in Our Name" coalition assembled at San Francisco's INS office to monitor potential abuses.

As a country founded and fortified by immigrants, we should demand that the Justice Department and its constituent agencies respect the rule of law and protect the constitutional rights of all who live within its borders.

Roberto J. Gonzalez is an assistant professor of anthropology at San Jose State University and editor of the forthcoming book, "Anthropology Goes Public: Cultural Critique of American Empire" (University of Texas Press, 2003).